IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

FRIDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE N.V. RAMANA

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WP.No.24079 OF 2006

Between:

S. Limbadri s/o. Narayana, aged 42 years, 0cc.AAE (Electrical)
O/o. Asst.Executive Engineer, [Civil] {AEE}
NDPCL, Nirmal, Adilabad district. … Petitioner

Versus

The Chairman & Managing Director,
NPDCL Warangal, Kazipet Rooad,
Opp. REC Petrol Bunk, Chaitanyapuri,
Hanamakonda & Ors. … Respondents

Counsel for the Petitioner: Sri Y.S.Yella Nand Gupta

Counsel for the Respondents: Sri Samineni Kishore

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.24079 of 2006

ORDER :

This writ petition is filed to declare the action of the respondents in not relieving the petitioner from the third respondent under the control of the first and second respondents to operation circle, Nizamabad as AAE/SPM.Armoor, pursuant to the transfer orders dated 19-5-2006 vide Memo.No.CEE/Z/NZB/DE (T)/PO/ADM D.No.213/2005, issued by the Chief Engineer, Electrical Zone, NPDCL, Nizamabad, as illegal, arbitrary and consequently to direct the respondents to relieve the petitioner forthwith as per transfer orders and to pass such other suitable orders.

The Petitioner is an Electrical Engineer but he is working as AAE (Civil) at Nirmal Town, Adilabad district under the control of second and third respondents. Though he was transferred in the month of October 2006 from his originally appointed post of Electrical Engineer, Nizamabad to the third respondent to work as Civil Engineer. While things stood thus, the petitioner made a representation to the third respondent seeking to transpose him as Electrical Engineer. Accordingly, the petitioner was transferred and reposting orders were issued by the Superintending Engineer and posted him to Armoor under the control of Assistant Divisional Engineer/SPM/Nizamabad. Pursuant to the transfer orders dated 19-5-2006 vide Memo.No. CEE/Z/NZB/DE (T)/PO/ADM D.No.213/2005, issued by the Chief Engineer, Electrical Zone, NPDCL, Nizamabad, the second and third respondents have to relieve the petitioner but they failed to relieve the petitioner. Now the petitioner in this writ petition is seeking to implement the orders of the Chief Engineer vide Memo.No.CEE/Z/NZB/DE (T)/PO/ADM D.No.213/2005, dated 19-5-2006.

The respondent filed counter-affidavit stating that if the petitioner is relieved there will be very serious dislocation of work and operational difficulties will arise in the emergency and essential

services. In view of that some of the officers were not relieved and meanwhile the transfer orders are issued. In the case of one Mr.Srinivas Rao, whose transfer was effected, for which the explanation from the Superintending Engineer (Operation) Nizamabad was called for and disciplinary proceedings was initiated against him for violating the instructions and relieving Mr.Srinivasa Rao.

When the matter came up today, the learned standing counsel has produced a memo dated 13-12-2006 wherein the Northern Power Distribution Company of AP Limited has taken a policy decision to cancel all transfer orders issued as per transfer guidelines dated 09-5-2006. Having regard to the fact that NPDC has taken a policy decision vide Memo.No.CGM(HRD)/GM/(S)/AS-1/781 PO.VOS, dated 13-12-2006 to cancel all transfers as per transfer guidelines dated 09-5-2006 and also in view of the fact that the respondent-authorities has called for the explanation from the Superintending Engineer (Operation), Nizamabad and initiated disciplinary proceedings against him for violating the instructions and relieving one Mr.Srinivas Rao, who was transferred, I see no reason to interfere with the action of the respondents 2 and 3 in not relieving the petitioner.

In view of the administrative problems, no relief can be granted in view of cancellation of all transfers.

The writ petition is accordingly dismissed at the admission

stage. No costs.

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N.V. RAMANA, J.

DECEMBER 22nd, 2006.
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